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TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

KASZTELAN et al.

Serial No.: 09/603,838

Filed: 10/16/2000

Examiner: Christina ILDEBRANDO,

Group Art Unit: 1725

For : CATALYST THAT CONTAINS A ZEOLITE THAT IS HIGH IN AN ELEMENT OF GROUPS VIB AND/OR VIII AND ITS USE IN HYDROREFINING AND HYDROCRACKING OF HYDROCARBONS FRACTIONS.

DECLARATION UNDER RULE 37 C.F.R. §1.132

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

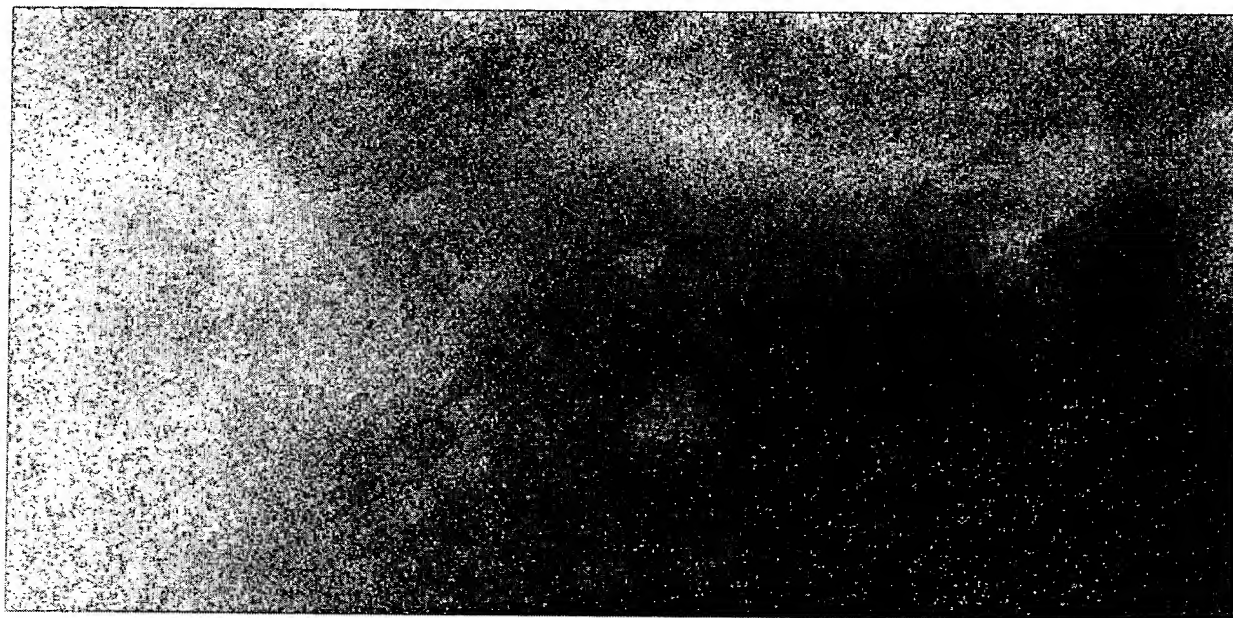
I, Slavik KASZTELAN, being duly warned, declare and say as follows:

THAT, I am a French citizen ; that I obtained an Engineer Diploma delivered by "Ecole des Hautes Etudes Industrielles de Lille" (France) in 1982 ; that I was received as a "Docteur Ingénieur" in 1984 and as a "Doctor habilité à diriger des recherches" in 1991 by "Université de Lille" ; and that I know reside in 92500 Rueil-Malmaison, France, 27 Rue Raymond Queneau.

THAT, I was engaged on research by "Institut Français du Pétrole" Rueil-Malmaison (France) in their Kinetics and Catalysis Department in 1988, where I was continuously and actively in charge of researches in the fields of hydrocracking, hydroisomerization, dewaxing and hydrogenation of aromatic compounds; that from January 1995 to March 2001, I was Project Manager in the fields of "fundamental research in heterogeneous catalysis" and then of "hydrotreatment catalysts" ; and that since then I have been Manager of the Kinetics and Catalysis Research Division.

That I am familiar with hydroconversion processes and catalysts

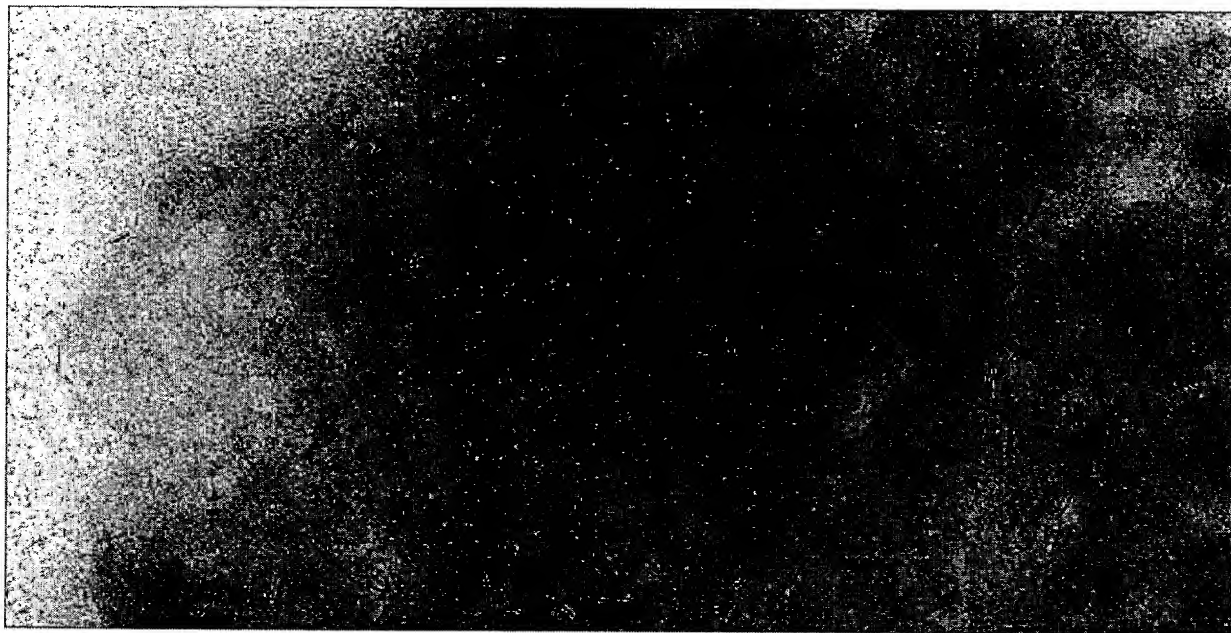
THAT the following picture is the Electron Microscope Picture of a catalyst according to the invention : Mo/HY.



THAT I declare that this figure only shows clusters uniformly dispersed in the matrix, no MoS₂ layers can be seen.

THAT this means that molybdenum is located in the porous network of the zeolite.

THAT the following picture is the Electron Microscope Picture of a catalyst according to Usui (US 4,585,748) : Mo/HY



THAT I declare that some layers of MoS₂ are visible.

THAT from their size one skilled in the art would know that these MoS₂ layers are not located in the porous network of the zeolite, but on the external surface of the zeolite particles.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information or belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 Title 18 of United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Rueil-Malmaison, April 28, 2003

A handwritten signature in black ink, appearing to read 'Slavik Kasztelan', with a long horizontal flourish extending to the left.

Slavik KASZTELAN